

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	<b>CASE NO. 8:07CR397</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>DANA ADVIENTO,</b>	)	
	)	
<b>Defendant.</b>	)	

This matter is before the Court on the Defendant's motion for a psychiatric evaluation and to determine mental competency to stand trial (Filing No. 29). The request for a psychiatric evaluation was heard on February 11, 2008.

The motion was brought pursuant to 18 U.S.C. § 4241. A basis exists to question the Defendant's competency to stand trial, and therefore the request for a psychiatric evaluation will be granted.

**IT IS ORDERED:**

1. The request for a psychiatric evaluation of the Defendant is granted;
2. The motion to determine mental competency (Filing No. 29) is held in abeyance;
3. The Clerk shall restore the motion to determine the Defendant's mental competency (Filing No. 29) as a pending motion;
4. The Court designates the local evaluator agreed upon by the parties, and defense counsel has represented to the Court that the parties have so agreed;

5. The evaluator must prepare a psychiatric or psychological report at the conclusion of the evaluation that complies with 18 U.S.C. § 4247(c);
6. Defense counsel shall deliver (not file) a copy of the report to the Court and opposing counsel immediately upon its receipt; and
7. Upon receipt of the report by the Court, the Court will promptly schedule a hearing pursuant to 18 U.S.C. § 4247(d) to determine the Defendant's competency to stand trial.

DATED this 28<sup>th</sup> day of March, 2008.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge